

*SC NAACP v. Alexander,*  
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

# **Exhibit M**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE

CONFERENCE OF THE NAACP,

et al.,

Plaintiffs,

vs.

CASE NO.: 3:21-CV-03302-MBS-TJH-RMG

THOMAS C. ALEXANDER,

et al.,

Defendants.

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VIDEOTAPED	(Appearance via Video Conference)
DEPOSITION OF:	PAULA BENSON
DATE:	July 13, 2022
TIME:	10:04 a.m.
LOCATION:	Robinson Gray
	1310 Gadsden Street
	Columbia, South Carolina
TAKEN BY:	Counsel for the Plaintiffs
REPORTED BY:	Mary K. Stepp, Court Reporter
	(Appearance via Video Conference)

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APPEARANCES OF COUNSEL:

ATTORNEY FOR PLAINTIFFS:

(Appearance via Video Conference)  
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and

NAACP  
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ATTORNEY FOR HOUSE DEFENDANTS, SPEAKER  
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CHAIRMAN WALLACE JORDAN:

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1  
2 APPEARANCE OF COUNSEL CONTINUED:

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4 (Appearance via Video Conference)  
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11 ATTORNEYS FOR SENATE DEFENDANTS:

12 (Appearance via Video Conference)  
13 ROBINSON GRAY  
14 ROBERT E. TYSON, ESQUIRE  
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16 CYNDI NYGARD, PARALEGAL  
17 1310 Gadsden Street  
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21 ALSO PRESENT:

22 Rodney Myers, Videographer

23 (INDEX AT REAR OF TRANSCRIPT)  
24  
25

1 THE VIDEOGRAPHER: All right. Good  
2 morning. We are going on the record at 10:04 a.m. on  
3 July 13th, 2022. Please note that this deposition is  
4 being conducted virtually. Quality of the reporting  
5 depends on the quality of camera and Internet  
6 connection of the participants. What is seen from  
7 the witness and heard on the screen is what will be  
8 recorded. Audio and video recording will continue to  
9 take place unless all parties agree to go off the  
10 record.

11 This is media unit number 1 of the  
12 video-recorded deposition of Paula Benson taken by  
13 counsel for the plaintiff in the matter of the South  
14 Carolina State Conference of the NAACP versus  
15 Alexander, Thomas C., filed in United States District  
16 Court, District of South Carolina, Columbia Division.  
17 The case number is 3:21-CV-03302-MBS-PJH-RMG.

18 This deposition is being conducted  
19 remotely using virtual technology. My name is Rodney  
20 Myers, representing Veritext and I am the  
21 videographer. The court reporter is Mary Stepp from  
22 the firm Veritext. I am not authorized to administer  
23 an oath. I am not related to any party in this  
24 action, nor am I financially interested in the  
25 outcome.

1                   If there are any objections to proceeding,  
2                   please state them at the time of your appearance.  
3                   Counsel and all present, including remotely, will now  
4                   state their appearances and affiliations for the  
5                   record, beginning with the noticing attorney.

6                   MR. CEPEDA: Hi, good morning, this is  
7                   Adriel Cepeda Derieux for Plaintiff.

8                   MS. GUADALUPE: Good morning. This is  
9                   Geneva Guadalupe, ACLU intern for the Plaintiff.

10                  MR. PARENTE: This is Michael Parente from  
11                  Nexsen Pruet. I represent the House Defendants,  
12                  Speaker Lucas, Chairman Murphy, and Chairman Jordan.

13                  MS. TRINKLEY: This is Jane Trinkley with  
14                  Burr & Forman. I represent the Election Defendants.  
15                  Hey, Paula.

16                  MS. BENSON: Hello, Jane.

17                  MR. TYSON: And this is Rob Tyson. I'm  
18                  across the table from Ms. Benson and I represent  
19                  Senators Alexander and Senator Rankin.

20                  THE VIDEOGRAPHER: Will the court reporter  
21                  now please swear in the witness and then we may  
22                  proceed.

23                  (Witness sworn.)

24                                 PAULA BENSON,  
25                  having been duly sworn, testified as follows:

EXAMINATION

BY MR. CEPEDA:

Q. Thank you. Good morning, Ms. Benson. My name is Adriel Cepeda. I represent the plaintiff in this lawsuit, as I just said. Can you please state your name for the record?

A. Paula Benson.

Q. Can you spell that last name?

A. B-e-n-s-o-n.

Q. Thank you so much. Ms. Benson, I know you're an attorney. Do you understand that you're under the same oath today, as if you were in a courtroom?

A. I do.

Q. So, I'll be asking you most of the questions today. You may also hear Mr. Tyson object to some of my questions. If he does the objection will be noted in the record, but you still have to answer unless Mr. Tyson tells you not to. Is that okay?

A. I understand, yes.

Q. Thank you. I'm going to assume that you understand the question that I ask you unless you tell me that you don't understand. Is that fair?

A. Yes. Thank you.

1 people would be able to be heard. That it will be  
2 able to be recorded, so that we would have the record  
3 of the recordings.

4 There were many, many details that had to  
5 be taken care of. I can remember things even as  
6 small as going and purchasing signs which would  
7 direct people to the place where the redistricting  
8 public hearing was taking place.

9 And some of it, as we went through that --  
10 that first process, even if you've been through it  
11 before, there are small details that all of a sudden  
12 somebody brings it to your attention that -- that it  
13 was confusing to know which building to go to. And  
14 you realize you needed signs to help you out there.

15 Those were the kind of things that -- that  
16 those staff meetings were -- were dealing with. And,  
17 also, to figure out indeed who we needed as staff  
18 and -- and what kind of equipment they were going to  
19 need to facilitate the process.

20 Q. Okay. At the meeting you did have, did  
21 outside counsel ever participate in those?

22 A. Uhm, Charlie would have been the only  
23 person who was not a -- employed as a staff member.

24 Q. Do you remember Mr. John Gore  
25 participating in any of them?



1 A. No.

2 Q. You did not observe -- strike that.

3 You did not participate in any meetings  
4 where John Gore spoke to the group, either in person  
5 or by Zoom?

6 A. I -- I did participate in meetings which,  
7 I believe, occurred following the time when we had  
8 those weekly staff meetings. Basically, I can  
9 remember being in contact with Mr. Gore on -- on  
10 legal advice.

11 Q. On legal advice as to what?

12 A. And I -- it may have been questions that  
13 we had about an interpretation of a precedent. It  
14 may have been how people were dealing with census  
15 information. Uhm, it -- it -- it may have been on --  
16 on particular -- and, again, this was not the  
17 congressional, this was in the Senate portion of  
18 the -- the process, where we were hearing proposals  
19 by senators for particular types of maps that we had  
20 some questions, if, uhm -- if -- if those would meet  
21 legal guidelines and -- and the guidelines that we  
22 had.

23 Q. What about other outside lawyers? Did  
24 folks from Robinson Gray ever do the same?

25 A. You know, I don't remember talking with --

1 with Rob or with Lisle until we actually had the  
2 lawsuit.

3 Q. And -- and just to -- to pinpoint it a  
4 little more, you said the -- the meeting or the  
5 meeting you recall with -- where Mr. Gore  
6 participated in was after you were having the weekly  
7 meetings, so that would have been around when?

8 A. Around the first of the year.

9 Q. Okay. I just have a few more --

10 A. And -- and -- now, please, that's my  
11 recollection. You may want to -- to confer with  
12 Andy, may have had meetings with him at earlier time  
13 periods. That's -- that's my recollection of  
14 whenever I came into meetings.

15 Q. Of course. No, no, no. I understand.  
16 Thank you. I just have a few more questions and I  
17 think then we can break.

18 Was any single person in charge of  
19 memorializing staff meetings, taking minutes, for  
20 example?

21 A. No.

22 Q. Nobody served as a secretary, whether by  
23 title or in practice?

24 A. No.

25 Q. Did you take notes at these meetings?